

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY HAY,

Defendant.

DECISION AND ORDER
19-CR-170-A

Defendant Gregory Hay is charged in a 26-count Second Superseding Indictment (Dkt. No. 70). The case was referred to Magistrate Judge Michael J. Roemer pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings.

On February 23, 2024, the Magistrate Judge filed a Report and Recommendation (“R&R”) (Dkt. No. 629) that recommends Defendant’s motion to suppress (Dkt. No. 584) be denied. At Defendant’s request (Dkt. No. 636), the parties were given to April 12, 2024, to file any objections to Magistrate Judge Roemer’s R&R. No objections to the R&R were filed by the parties. Because there are no objections to the R&R, the Court reviews the R&R on clear error review.

The Court adopts the reasoning of the Magistrate Judge and deems no further discussion necessary.

Upon clear error review pursuant to 28 U.S.C. §636(b)(1), and for the reasons set forth in the R&R, it is hereby

ORDERED that the R&R (Dkt. No. 629) is adopted in its entirety; and it is further

ORDERED that Defendant's motion to suppress (Dkt. No. 584) is **DENIED**.

The parties shall appear for a status conference to set a date for trial or plea on April 24, 2023, at 9:30 am.

IT IS SO ORDERED.

s/Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: April 18, 2024
Buffalo, New York